

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

BENJAMIN P. TOLKOFF (NYBN 4294443)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7296
Facsimile: (415) 436-7234
Email: Benjamin.Tolkoff@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No.: CR 09-0764 VRW
)	
Plaintiff,)	
)	
v.)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER THE SPEEDY
JOSE RODRIGUEZ-ANTECON,)	TRIAL ACT, 18 U.S.C. § 3161
)	
Defendant.)	
)	

On September 17, 2009, the parties appeared before the Court for a status hearing. At that time the parties agreed and the Court ordered that this matter be continued until September 24, 2009, to afford adequate preparation of counsel and assure continuity of counsel. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension.

The defendant also agrees to exclude for this period of time any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the continuance was the

reasonable time necessary for continuity of counsel and effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: September 17, 2009

/s/
BENJAMIN P. TOLKOFF
Assistant United States Attorney

DATED: September 17, 2009

/s/
JODI LINKER
Attorney for JOSE RODRIGUEZ-ANTECON

~~PROPOSED~~ ORDER

For the reasons stated above, the Court finds that the continuation of this matter from September 17, 2009 to September 24, 2009, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161 (h)(7)(A). The failure to grant the requested continuance would deny the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 9/23/2009

